

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NEXTGEAR CAPITAL, INC.;
MANHEIM REMARKETING, INC.
*doing business as Manheim
Pennsylvania,*

Plaintiff,

– against –

TRISTATE AUTO SERVICE CENTER,
INC.; ZU JI GAO,

Defendants.

ORDER

23-cv-09458 (NCM) (JRC)

NATASHA C. MERLE, United States District Judge:

This Court has received the Report and Recommendation (“R&R”) on the instant case dated February 27, 2025, from the Honorable James R. Cho, United States Magistrate Judge. No objections have been filed.

The Court reviews “*de novo* any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also Park v. Kim*, No. 20-cv-02636, 2022 WL 3643966, at *2 (E.D.N.Y. Aug. 24, 2022), *aff’d*, 91 F.4th 610 (2d Cir. 2024). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-cv-00371, 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Est. of Ellington ex rel. Ellington v. Harbrew Imps. Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)).

Having reviewed the record, the Court finds no clear error. Accordingly, Judge Cho’s R&R is fully adopted as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff Manheim Remarketing, Inc.'s motion for default judgment on the breach of contract and guaranty claims against defendants Tristate Auto Service Center, Inc. and Zu Ji Gao, jointly and severally, ECF No. 26, is **GRANTED**. The Court awards plaintiff Manheim Remarketing, Inc. \$2,634,155, plus (i) pre-judgment interest at the rate of \$649.52 per day from December 20, 2023, through entry of judgment and (ii) \$25,566.88 in attorneys' fees and \$3,859.11 in costs.

The Clerk of Court is respectfully directed not to enter judgment or close the case at this time. Plaintiffs shall file a letter by April 7, 2025, indicating how each plaintiff intends to proceed with all remaining claims.

SO ORDERED.

/s/ Natasha C. Merle
NATASHA C. MERLE
United States District Judge

Dated: March 24, 2025
Brooklyn, New York